



The State of New Hampshire
Department of Environmental Services



Michael P. Nolin
Commissioner

March 23, 2006

Sherman A. Packard, Chairman
Transportation Committee
Room 203, LOB
Concord, NH 03301

RE: Senate Bill 282-FN, Removal of Abandoned Vehicles.

Dear Representative Packard:

Thank you for the opportunity to testify in support of an amendment to SB 282, which would require owners of submerged petroleum-powered vehicles to remove the vehicle from the water within 48 hours or as soon thereafter as safety and weather conditions permit. The amendment would also require notification to the Department of Environmental Services to investigate any possible contamination and to the Department of Safety Services if any person is killed or injured in an incident involving submerged vehicles.

Submerged petroleum-powered vehicles and containers may contain a series of pollutants such as gas, oil, acids, nutrients ethylene glycol, and trace metals that may compromise the surface water quality of the state. To minimize the potential for deteriorating water quality or surface water impairments, it is necessary to remove the source of the pollution through removal and to conduct a cleanup of those agents that may have leaked into state waters.

This amendment strengthens RSA-485A:14 to allow the quick removal of any vehicle or any container that becomes partially or completely submerged in the surface waters of the state. Any submerged vehicle or container is presumed to be discharging pollutants into the surface waters of the state and shall be subject to reporting, removal and strict liability requirements. The owner shall be responsible for all associated costs for the removal, investigation, containment, cleanup and corrective measures associated with the discharge of any pollutants to state waters. If the owner of the submerged vehicle or container refuses to remove them from state waters, the Department of Environmental Services may contract for removal and pass the costs onto the owner in an action of debt brought by the attorney general in the name of the state.

The amendment also provides for the issuance of citations and fines of \$500 for each day the vehicle remains in the water. The addition of penalties for violations of the law will prompt owners to remove the vehicle or container in a prompt manner.

Thank you again for this opportunity to comment in support of this important amendment. If you have any questions or need additional information, please do not hesitate to call Jody Connor at 271-3414 or me at 271-3449.

Sincerely


for Michael P. Nolin
Commissioner

cc: Senator Joseph P. Kenney
Assistant Commissioner Earl Sweeney
Director, David Barrett

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